

EXHIBIT 3

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ELVIS RUIZ, FRANCISCO JAVIER)
CASTRO, and EDUARDO)
MARTINEZ,)
Plaintiffs,) NO. CV-11-3088-RMP
vs.)
MAX FERNANDEZ and ANN)
FERNANDEZ, a marital)
community; and WESTERN RANGE)
ASSOCIATION, a foreign)
nonprofit organization,)
Defendants.)

DEPOSITION UPON ORAL EXAMINATION OF EDUARDO MARTINEZ

October 30, 2012
1:30 p.m.
6 South Second Street, Suite 510
Yakima, Washington

TAKEN AT THE INSTANCE OF THE DEFENDANTS

REPORTED BY:
PHYLLIS CRAVER LYKKEN, RPR, CCR NO. 2423

Central Court Reporting 800.442.3376

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1 not good.

2 Q. And so what do you want as a result of that?

3 A. No, I would tell him, no, I would tell him that if he
4 wanted a good work, that he should bring good tools
5 and we would start to argue.

6 Q. What do you want as a result of this lawsuit?

7 A. Oh, that Mr. Fernandez should be stopped from
8 humiliating the workers.

9 Q. And is that all?

10 A. Yes.

11 Q. Nothing else?

12 A. No.

13 Q. And if he were stopped from humiliating workers in
14 the future, that would be enough for you?

15 A. I think so.

16 MR. LOFLAND: That's all I have.

17 MR. BARHOUM: Okay. I've got a few questions.

18

19 EXAMINATION

20 BY MR. BARHOUM:

21 Q. Good afternoon, sir. My name is John Barhoum and I
22 represent Western Range Association. I just have a
23 few questions for you.

24 How did you first hear about the Western Range
25 Association?

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1 A. Oh, for many years I heard that Western Range would
2 bring people to the United States.

3 Q. And who was your contact person in Chile for the
4 Western Range Association?

5 A. Well, it was not with Western Range, it was with
6 Victor Toscanini.

7 Q. And did you first contact Victor Toscanini to let him
8 know you were interested in coming to the United
9 States?

10 A. Yes, he already knew that.

11 Q. How did he know that?

12 A. By means of my brother-in-law.

13 Q. Okay. He didn't come to your village looking for
14 you, did he?

15 A. No, telephone.

16 Q. He called you?

17 A. Yeah.

18 Q. And he called you because your brother told him you
19 were interested?

20 A. No, my brother-in-law.

21 Q. Okay. He called you because your brother-in-law told
22 him you were interested?

23 A. To come here, yes.

24 Q. Okay. And who was your supervisor once you got to
25 the Fernandez ranch?

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1 A. Max Fernandez.

2 Q. Okay. No one from Western Range told you how to do
3 your work at the Fernandez ranch?

4 A. No.

5 Q. No one from the Western Range Association ever came
6 to the Fernandez ranch while you were there, right?

7 A. No.

8 Q. And no one from the Western Range Association told
9 you where you would live or what kind of food you
10 would eat, right?

11 A. No.

12 Q. And no one from the Western Range Association paid
13 you, correct?

14 A. No.

15 Q. Did you have any contact with anybody from the
16 Western Range Association?

17 A. Only when I left.

18 Q. When you left the Fernandez ranch?

19 A. Yes, when Mr. Fernandez told me that the secretary of
20 Western Range needed to speak to me.

21 Q. Begonia?

22 A. Yeah.

23 Q. Is that the only person you ever spoke to at the
24 Western Range Association?

25 A. Yes.

C E R T I F I C A T E

2 STATE OF WASHINGTON)
3 COUNTY OF YAKIMA) ss.

5 This is to certify that I, Phyllis Craver Lykken,
6 Certified Court Reporter in and for the State of
7 Washington, residing at Yakima, reported the within and
8 foregoing deposition; said deposition being taken before
9 me on the date herein set forth; that pursuant to RCW
10 5.28.010 the witness was first by me duly sworn; that
11 said examination was taken by me in shorthand and
12 thereafter under my supervision transcribed, and that
13 same is a full, true and correct record of the testimony
14 of said witness, including all questions, answers and
15 objections, if any, of counsel.

16 I further certify that I am not a relative or
17 employee or attorney or counsel of any of the parties,
18 nor am I financially interested in the outcome of the
19 cause.

20 IN WITNESS WHEREOF I have set my hand this 13th
21 day of November, 2012 ✓✓

PHYLIS CRAVER LYKKEN, RPP
CCR NO: 2423

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